IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE

CIVIL APPLICATION NO.2768 OF 2004
IN
WRIT PETITION NO.9238 oF 2003

Office Note, Office Memoranda of Coram appearance, Corut's orders or directions and Registrar's Orders:

Court's or Judge's Orders

Mr. V.S.Deokar, for the Petitioner.

Mr. Vijay Patil, for the Respondents 2 to 5.

CORAM: F.I. REBELLO & S.P.KUKDAY, JJ.
DATE : 1st March, 2005

P.C.

. This is an application for recalling the order dated 21st June, 2004. Apart from disposal of the petition for non-appearance the learned Division Bench also held that the petition as filed is not maintainable.

2. We have heard learned Counsel and considered the Rules which he had adverted to namely Rules 235, 236 and 237 of the Maharashtra Public Works Manual. On a perusal of the same we do not find that they would be attracted to the facts of the case as admittedly the petitioner is not a local authority. In that light of the matter no interference called for. Civil Application rejected.

3. It will, however, be open to the petitioner if advised and if entitled to take

any other steps in law which he may be entitled to. With the above observation, Civil Application stands disposed of.

(F.I. REBELLO, J.)

(S.P. KUKDAY, J.)